

THE PREJUDICIAL FORCE OF COURT DECISIONS IN CASES INVOLVING THE RIGHTS AND INTERESTS OF MINORS

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The subject. The subject of this research is the legal nature of the prejudicial effect of judicial decisions and the rationale for establishing permissible limits of its restriction in the resolution of family law disputes directly affecting the rights and protected interests of minors.

The aim of the article is to characterize the general grounds for limiting the prejudicial force of court acts, as established in the legal practice of the Russian courts, and to subsequently develop a framework of criteria defining the admissible boundaries of such a departure. The ultimate objective is to ensure the effective and prioritized protection of the rights and best interests of minors in family litigation.

Methodology. The study is based on a combination of general scientific and specific legal methods. General scientific methods include deduction, analysis, and synthesis. The specific legal methodology comprises the formal-legal (dogmatic) method, the legal interpretation method (construing legal norms), and the comparative legal approach.

Main results. Departure from the prejudicial effect of a judicial decision in disputes concerning the rights of minors is not only admissible but also expedient within legally defined limits. The paper substantiates the necessity of striking a balance between two competing legal values: the stability and binding force of judicial acts (prejudice) and ensuring the effective judicial protection of the child's best interests.

Conclusions. The legal nature of prejudice may systematically conflict with the principle of priority and effective protection of the rights and interests of minors when resolving family disputes. It is necessary to develop special criteria for the admissibility of derogation from the prejudicial force of judicial decisions. These include: (1) the criterion of materiality is the presence of serious procedural and material violations during the previous decision, which cannot be eliminated by appealing a judicial act; (2) the criterion of dynamism is the emergence of new circumstances or a change in existing ones since the previous decision was made; (3) the criterion of a conflict of interest is motivated conclusions that adequate protection of the minor was not provided in the previous process, as a result of which the formal application of prejudice leads to a clear and significant violation of his rights and interests. These criteria should be applied by the court in aggregate, as part of the implementation of the principle of judicial discretion, aimed at establishing a fair balance between the stability of judicial acts and the protection of the highest constitutional value of childhood.

1. Introduction.

‘Humanity owes the child the best it has.’¹ This principle, proclaimed in 1959, remains as relevant as ever in the Russian Federation today, particularly in the context of safeguarding spiritual and moral values. From 2018 to 2027, Russia has declared a Decade of Childhood², whose primary objective is the protection of every child’s rights and the creation of conditions conducive to comfortable living and development within the family. Unfortunately, this objective often proves unattainable without the involvement of the judiciary. Within the system of state governance, the judiciary, exercising its jurisdictional powers, is oriented toward the resolution of legal disputes arising from actual or alleged violations of the rights, freedoms, and lawful interests of the subjects of legal relations. In this context, the importance of ensuring the effectiveness of judicial proceedings becomes particularly acute—especially in cases affecting the rights and interests of minors.

One means by which the efficiency of domestic justice can be enhanced is through the institution of the prejudicial effect, an intersectoral legal construct that touches not only upon matters of evidentiary law but also upon the scope and operative effect of judicial decisions across different types of legal proceedings, as well as the dialectical relationship between them. The purpose of this article is to determine, on the basis of an ontological analysis, the legal nature of the prejudicial effect of judicial decisions and the application of this institution in the adjudication of disputes affecting the rights and interests of children, including the boundaries and universality of preclusion. To achieve this aim, several specific research tasks must be addressed: to identify the legal nature of judicial decisions, thereby enabling, through

the use of both general and specialized scientific methods of cognition, a characterization of the general grounds for limiting the prejudicial effect of judicial decisions in the legal positions of the Constitutional Court of the Russian Federation (hereinafter—the Constitutional Court). The doctrinal insights thus obtained may serve to resolve the practical problems of law enforcement identified by the authors: to formulate a position regarding the expediency and admissibility of departing from the prejudicial effect of judicial decisions in family disputes involving the rights and interests of minors, and to determine the priority and essence of balancing between the prejudicial force of judicial decisions and the effective protection of the rights and interests of minors.

2. The Legal Nature of the Prejudicial Effect of Judicial Decisions.

The prejudicial effect of judicial decisions constitutes a fundamental institution of procedural law, ensuring the stability and internal consistency of judicial acts. Considerable attention has been devoted to the issues of its application, its place and role within evidentiary law, and its contribution to the enhancement of judicial efficiency [1, 2, 3]. However, there is a marked scarcity of scholarly works in which the prejudicial force is examined from the perspective of the differentiation of types of legal proceedings, the substantive content of judicial activity in various categories of disputes, and especially in those disputes that affect the rights and interests of minors.

In its most general sense, the prejudicial force refers to the binding effect upon a court of the factual circumstances established by a judicial decision that has entered into legal force in a previously adjudicated case, when a new case involving the same parties is being considered. This institution performs a dual function: on the one hand, it relieves the parties from the burden of re-proving facts that have already been judicially established; on the other hand, it binds the court to those facts, precluding their re-evaluation or contestation. Thus, the prejudicial effect serves as an important instrument of procedural economy, preventing the issuance of contradictory judicial acts

¹ Preamble to the Declaration of the Rights of the Child (1959) (adopted on 20 November 1959 by Resolution 1386 (XIV) at the 841st plenary meeting of the UN General Assembly). International Protection of Human Rights and Freedoms: Collection of Documents. Moscow: Legal Literature, 1990, pp. 385–388.

² Decree of the President of the Russian Federation No. 240 of 29 May 2017 ‘On the Declaration of the Decade of Childhood in the Russian Federation’. Collection of Legislation of the Russian Federation, 5 June 2017, No. 23, Art. 3309.

and thereby strengthening the authority of the judiciary.

The normative foundation of the institution of the prejudicial effect of judicial decisions in civil procedure is found in Part 2 of Article 61 and Part 2 of Article 209 of the Civil Procedure Code of the Russian Federation. Part 2 of Article 61 CPC RF provides that the circumstances established by a judicial act that has entered into legal force in a previously adjudicated case are binding upon the court, shall not be re-proven, and are not subject to contestation in another case involving the same parties. This provision establishes the prejudicial effect primarily as a basis for exemption from proof, thereby emphasizing its evidentiary nature and its connection with the adversarial principle. In contrast, Part 2 of Article 209 of the Civil Procedure Code of the Russian Federation highlights a different aspect, one that significantly broadens the objective limits of the prejudicial effect by extending it not only to established facts (factual circumstances) but also to the legal qualification of those facts—that is, to the legal relationships themselves.

A comparison of these two provisions reveals a key doctrinal contradiction: is the prejudicial effect an institution exclusively of evidentiary law, or is it a property of the legal force of a judicial decision, closely connected with its binding and conclusive nature? This contradiction directly affects the answer to another fundamental question: does the prejudicial effect extend only to facts, or also to their legal assessment (legal relationships)? These issues remain the subject of active doctrinal debate.

Thus, A. V. Ilyin, in his work, draws a fundamental distinction between two properties of the legal force of a judicial decision—its prejudicial effect and its binding effect—and concludes that the conflation of these properties leads to insurmountable practical collisions. In his view, the prejudicial effect possesses a purely evidentiary nature and represents a limitation of the adversarial principle, exempting from proof only those facts established in the reasoning part of the decision. The binding force, by contrast, having no subjective limits, ensures the incontestability of the conclusions set forth in the operative part of the judgment, including the legal relationships established therein. He concludes that, to guarantee legal certainty

and the conclusiveness of a judicial decision, the conclusions of the court contained in the operative part (including established legal relationships and facts) must be binding upon a court adjudicating another case involving the same parties. Accordingly, he proposes that the conflict be resolved not by expanding the scope of the prejudicial effect, but by the correct application of the binding force [4].

P. N. Matskevich, analyzing historical and comparative-law aspects, likewise emphasizes the evidentiary nature of the prejudicial effect. He notes that under the adversarial system the burden of proof rests with the parties, and the prejudicial effect of facts constitutes a fair consequence of their procedural activity (or inactivity) in prior proceedings. At the same time, the legal assessment of those facts lies entirely within the competence and discretion of the court, and the parties do not bear the risk of judicial error in that assessment. This circumstance, he argues, casts doubt on the legitimacy of extending the prejudicial effect to legal qualifications. On the central question of whether the legal assessment of facts (the determination of legal relationships) can possess a prejudicial character, Matskevich adopts a strict position, asserting that such legal assessment should not have prejudicial force [5].

An interesting approach is proposed by D. I. Chushenko, who, abandoning a purely evidentiary analysis of the institution, bases his study on the judicial-authoritative powers of courts and the legal force of judicial acts [2, p. 145]. This enables him to assert that the prejudicial effect is a derivative category arising from the law-enforcement activity of the court, and that the presumption of the veracity of a judicial decision that has entered into legal force predetermines the veracity of the circumstances constituting its factual basis.

Of considerable importance for assessing the place and role of the prejudicial effect in domestic judicial proceedings—and its influence on judicial efficiency, including in cases concerning the rights and interests of children—is the concept of objective truth [6, 7]. As is known, the Soviet doctrine of objective truth, which prevailed over the adversarial principle, required comprehensive, full, and impartial examination of circumstances in both criminal and

civil cases [8, 9, 10]. The modern concept of justice in the Russian Federation proceeds from the constitutional principles of judicial independence and the fundamental values enshrined in the Constitution [11]. This makes it particularly relevant to study the specific features of the prejudicial effect of judicial decisions in cases involving the rights and interests of minors.

Thus, the analysis of scholarly positions demonstrates a profound theoretical divide. On one hand, the prejudicial effect is viewed as a purely evidentiary institution confined to established facts. On the other, it is argued that legal certainty requires the binding force of judicial conclusions for the same parties—achieved either through an expansive interpretation of the prejudicial effect or through the correct application of the binding property of legal force.

This contradiction acquires particular significance in family disputes concerning children's rights and interests, where the question of whether the legal assessment established in a prior judgment should have prejudicial value becomes especially acute.

3. General Grounds for Limiting the Prejudicial Effect of Judicial Decisions in the Positions of the Constitutional Court of the Russian Federation.

Continuing the analysis of doctrine, which differentiates the prejudicial effect of judicial decisions both as to facts and as to their legal assessment, it is appropriate to consider the key positions of the Constitutional Court of the Russian Federation on this matter. Given the intersectoral nature of the institution in question, it addresses the binding force of judicial decisions that have entered into legal effect across a broad spectrum of legal relationships. Notably, the Constitutional Court demonstrates considerable flexibility in approaching this question.

According to the positions of the Constitutional Court of the Russian Federation³, the general concept

of the prejudicial effect of judicial acts is defined, *inter alia*, by the requirements of their binding, incontestable, exclusive, and enforceable character. However, in the Court's view, this does not entail attributing limitless prejudicial force to judicial decisions; rather, it necessitates establishing the boundaries of such effect and the procedures for its rebuttal.

Neither recognition nor denial of the prejudicial significance of final judicial decisions may be absolute. A court hearing a case cannot, without sufficient grounds, disregard either the circumstances established by judicial acts that have entered into legal force or their legal qualification, if those circumstances are relevant and must be verified within the case under consideration.

While these conclusions illustrate the general legal position regarding the prejudicial nature of judicial decisions, they define its boundaries primarily in relation to different branches of procedure and categories of cases involving various parties. Nevertheless, such grounds are insufficient for automatic application to family relations, which are generally adjudicated within civil proceedings, are of a continuing nature, and concern the rights and interests of the same persons. It must be noted, however, that even in judicial practice on family disputes, instances occur where courts depart from the principle of the prejudicial effect of judicial decisions in similar cases.

4. Departures from the Prejudicial Effect of Judicial Decisions in Family Disputes Involving the Rights and Interests of Minors.

Constitutional Court of the Russian Federation of 12 May 2021 No. 17-P 'On the Case Concerning the Review of the Constitutionality of Article 1.5, Part 1 of Article 2.1, Part 1 of Article 15.6, Paragraph 1 of Part 1, Part 3 of Article 28.1 and the Note to that Article of the Code of Administrative Offences of the Russian Federation in Connection with the Complaint of Citizen N. N. Koretskaya'. Collection of Legislation of the Russian Federation, 24 May 2021, No. 21, Art. 3672; Decision of the Constitutional Court of the Russian Federation of 23 July 2020 No. 1898-O 'On the Refusal to Accept for Consideration the Complaint of Citizen K. F. Karamzin Alleging Violation of His Constitutional Rights by Articles 90 and 125 of the Criminal Procedure Code of the Russian Federation'. SPS Garant and other legal reference systems

³ Ruling of the Constitutional Court of the Russian Federation of 25 December 2023 No. 60-P 'On the Case Concerning the Review of the Constitutionality of Article 809 of the Civil Code of the Russian Federation and Part 3 of Article 69 of the Arbitration Procedure Code of the Russian Federation in Connection with the Complaint of Citizen S. V. Filatov'. Collection of Legislation of the Russian Federation, 1 January 2024, No. 1 (Part IV), Art. 381; Ruling of the

The specific legal nature of the prejudicial effect in family disputes directly involving children's rights and interests presents a unique intersection of classical doctrinal approaches and the heightened regime of protection afforded to the child.

A vivid illustration of the challenges in applying the prejudicial effect in such disputes is provided by the Ruling of the Civil Division of the Supreme Court of the Russian Federation of 29 September 2015 No. 5-KГ15-75, in the case *N. A. Solozhennikova v. D. V. Solozhennikov* concerning the establishment of paternity⁴.

By a judgment of the Chertanovsky District Court of Moscow dated 1 March 2004, which entered into legal force, the court upheld D. V. Solozhennikov's claim to challenge the record of paternity concerning a child born to N. A. Solozhennikova during their marriage. The basis for the decision was Part 3 of Article 79 of the Civil Procedure Code of the Russian Federation: the plaintiff had evaded a court-ordered genetic examination, leading the court to consider paternity disproved. Years later, N. A. Solozhennikova filed a new action with the same court seeking to establish paternity and recover child support. The court of first instance, by judgment of 30 October 2014, granted the claim, again applying Part 3 of Article 79 of the Civil Procedure Code of the Russian Federation—but this time against the defendant, who had refused to undergo testing. The appellate court, however, overturned the decision on 14 January 2015 and dismissed the claim, invoking the prejudicial effect of the 2004 decision on the ground that the question of the child's parentage had already been conclusively determined between the same parties and could not be reconsidered under Article 61 of the Civil Procedure Code of the Russian Federation.

The Supreme Court of the Russian Federation disagreed, quashed the appellate ruling, and remitted the case for retrial, reasoning that 'the 2004 judgment could not possess prejudicial force in the present dispute,' despite the formal identity of the parties. The Court emphasized that the earlier decision had been rendered solely as a procedural consequence of one party's refusal to undergo examination, without an actual investigation or establishment of the biological

facts of the case. Thus, although legally effective, that decision had not been based on the establishment of objective truth.

Moreover, the Supreme Court of the Russian Federation stressed that the appellate court, by mechanically applying the formal rule of preclusion, had ignored not only potentially new factual circumstances but, more importantly, their legal significance in the interests of the child. More than ten years had passed since the earlier judgment, and the priority should have been not formal adherence to procedural doctrine but the realization of the child's rights under Articles 54 and 55 of the Family Code of the Russian Federation and the UN Convention on the Rights of the Child—the right to know one's parents, to receive their care, and to have one's interests protected.

This approach demonstrates that in cases affecting minors, the classical understanding of the prejudicial effect yields to the paramount principle of protecting the child's interests. The prejudicial force of a decision cannot constitute an insurmountable barrier to a new assessment of circumstances when the earlier decision was rendered without full examination of the factual background, since such an outcome would contravene the current interests of the child. Consequently, in family disputes involving children, the prejudicial effect—especially regarding legal evaluation—must be applied with exceptional caution and viewed through the prism of the child's best interests.

As noted by G. K. Zainullina and A. V. Mankieva, despite the legislatively enshrined principles of adversariality and equality, in practice one party often occupies a stronger position, prompting debate over the formal nature of equality between the participants in proceedings [12, p. 86]. Such formalism is particularly evident when the dispute directly concerns a child's interests, since the minor, lacking full procedural capacity, cannot act as an independent party; his or her rights and interests are represented under Articles 37 and 52 of the Civil Procedure Code of the Russian Federation by legal representatives (parents, guardians, or custodians). The child's procedural role is therefore largely passive, while active procedural conduct is exercised by the representative, potentially creating conflicts

⁴ Ruling of the Civil Division of the Supreme Court of the Russian Federation of 29 September 2015 No. 5-KГ15-75.

of interest—especially in disputes between parents pursuing their own aims, which may diverge from those of the child.

As A. N. Levushkin rightly observes, ‘in judicial consideration of cases involving children’s rights, the court’s evaluation of evidence may be biased when the situation makes it difficult to determine the child’s genuine interests’ [13, p. 675]. These circumstances highlight the vulnerability of minors’ procedural position and the necessity of enhanced safeguards. D. V. Potapov and L. V. Potapova correctly note that ‘domestic procedural legislation scarcely accounts for the specific nature of cases involving children’ [14, p. 62]. This legal indeterminacy directly affects the realization of a child’s right to protection and demands the adaptation of general legal institutions—such as the prejudicial effect of the judicial decision—to the realities of proceedings involving minors. Formal application of preclusion, particularly to legal evaluations, may conflict with changing circumstances and the child’s actual welfare, which often requires fresh judicial assessment in each individual case.

5. Ensuring a Balance between the Prejudicial Effect of Judicial Decisions and the Effective Protection of the Rights and Interests of Minors.

Current Russian legislation on children’s rights is characterized by internal inconsistencies [15, p. 80], replete with evaluative concepts, ambiguities, and lack of systematic coherence. The civil law mechanisms embedded in family legislation do not always reflect family values, complicating interpretation and leading to judicial errors [16, pp. 2–3]. In a society oriented toward traditional moral and spiritual values, the priority of children’s rights and the assurance of their personal safety [17] make it essential to identify a balance between the prejudicial effect of judicial decisions and the effective protection of minors’ rights and interests. The prejudicial force of judicial acts must not become an obstacle where their content contradicts constitutional principles or the paramount principles of child protection established by international law.

The Constitutional Court of the Russian Federation has repeatedly affirmed that rights and freedoms are not absolute and may be restricted for constitutionally significant purposes, including the protection of family, motherhood, fatherhood, and

childhood, recognizing children as a foremost priority of state policy (Articles 7, 38, and Part 4 of Article 67.1 of the Constitution of the Russian Federation). However, such limitations must be proportionate, justified, and must not disturb the balance of constitutional values⁵. Accordingly, the scope of the prejudicial effect must be assessed in light of the principle of securing the best interests of the child.

As M. I. Tarasova notes, ‘within the judicial system, this principle means that in any case where a child is a party, their interests must take precedence, and all judicial decisions must correspond to the child’s best interests, rather than to the interests of other parties or society at large’ [18, p. 433]. Because the principles of child protection are intersectoral, they cannot and should not be confined to family law norms alone [19, p. 363]. This empowers courts in family disputes to depart from the binding force of earlier judicial decisions when such decisions were rendered in violation of substantive or procedural law or clearly contravene the child’s interests. The child’s interests thus function as a ‘coordinate system’ within which the court must assess the situation [20, p. 100].

This approach does not undermine the principle of equality of arms in judicial proceedings but allows courts, in exceptional circumstances, to re-evaluate prejudicial determinations when required by the minor’s welfare. Moreover, this position aligns with the Constitutional Court’s view that, when balancing competing interests, particular weight must be given to the fundamental interests of the child, which—depending on their nature and importance—may prevail over the analogous interests of the parents⁶.

⁵ Ruling of the Constitutional Court of the Russian Federation of 2 March 2021 No. 4-P ‘On the Case Concerning the Review of the Constitutionality of Paragraph 1 of Article 52 of the Family Code of the Russian Federation, Paragraph 1 of Part 1 of Article 134 and Paragraph 2 of Article 220 of the Civil Procedure Code of the Russian Federation in Connection with the Complaint of Citizen O. S. Shishkina’. Collection of Legislation of the Russian Federation, 15 March 2021, No. 11, Art. 1881.

⁶ Ruling of the Constitutional Court of the Russian Federation of 8 June 2010 No. 13-P ‘On the Case Concerning the Review of the Constitutionality of

6. Conclusion

This study demonstrates that the legal nature of the prejudicial effect—traditionally conceived as a means of ensuring the stability and incontestability of judicially established facts and legal relationships—may come into systemic conflict, in family disputes, with the principle of the priority and effective protection of minors' rights and interests.

The specific character of family disputes—particularly their continuing nature, relative constancy of parties, and the exceptional value of the protected interests—necessitates the development of special criteria for permissible departures from the prejudicial force of judicial decisions. Such criteria may include:

1) the criterion of materiality — the existence of serious procedural or substantive violations in the prior decision that cannot be remedied through ordinary appeal; 2) the criterion of dynamism — the emergence of new or changed circumstances since the earlier decision; 3) the criterion of conflict of interests — substantiated findings that the prior proceedings failed to ensure adequate protection of the minor, and that formal application of preclusion would result in a manifest and substantial violation of the child's rights and interests. These criteria should be applied by courts collectively, within the framework of judicial discretion, to achieve a fair balance between the stability of judicial acts and the protection of the supreme constitutional value of childhood.

Paragraph 4 of Article 292 of the Civil Code of the Russian Federation in Connection with the Complaint of Citizen V. V. Chadaeva'. Collection of Legislation of the Russian Federation, 21 June 2010, No. 25, Art. 3246.

REFERENCES

1. Zatsepina O.E. *Legal Presumptions and Legal Fictions: Correlation and Development*, Cand. Diss. Belgorod, 2022. 225 p. (In Russ.).
2. Chushenko D.N. *Prejudice as a Factor in Increasing the Effectiveness of Judicial Activity*, Cand. Diss. Rostov-on-Don, 2017. 176 p. (In Russ.).
3. Kardanets A.V. *Prejudices in Russian Law: Problems of Theory and Practice*, Cand. Diss. Nizhny Novgorod, 2002. 181 p. (In Russ.).
4. Il'in A.V. On the Content of Prejudice – the Property of the Legal Force of a Court Decision. *Zakon*, 2015, no. 3, pp. 93–100. (In Russ.).
5. Matskevich P.N. Once Again on the Issue of Prejudice in Civil Proceedings. *Zakon*, 2019, no. 2, pp. 96–110. (In Russ.).
6. Reznik G.M. The Institute of Objective Truth as a Cover for the Repressiveness of Justice. *Biblioteka kriminalista = Criminalist's Library*, 2012, no. 4 (5), pp. 238–243. (In Russ.).
7. Liakhov Iu.A. Is It Necessary to Establish the Truth in a Criminal Case?. *Zakon*, 2015, no. 1, pp. 107–108. (In Russ.).
8. Baranov V.M. *The Truthfulness of the Norms of Soviet Law. Problems of Theory and Practice*, ed. by M.I. Baitin. Saratov, Saratov University Publ., 1989. 400 p. (In Russ.).
9. Afanas'ev S.F. A Brief Overview of the Problem of Truth in Civil Procedural Law and Proceedings. *Rossiiskii ezhegodnik grazhdanskogo i arbitrazhnogo protsessa = Russian Yearbook of Civil and Arbitration Procedure*, 2006, no. 4, pp. 175–208. (In Russ.).
10. Vinogradova E.A. Procedural Time Limits and Truth in Adversarial Civil Proceedings: A Comparative Legal Aspect, in: *Forging a Common Legal Destiny*, London, Wildy, Simmonds & Hill Publishing, 2005, vol. 2, pp. 813–866. (In Russ.).
11. Afanas'ev L.S. Judicial Process as the Embodiment of Justice: Political and Legal Aspects. *Pravovaya politika i pravovaya zhizn' = Legal Policy and Legal Life*, 2024, no. 2, pp. 324–331. DOI: 10.24412/1608-8794-2024-2-324-331. (In Russ.).
12. Zainullina G.K., Mankieva A.V. Constitutional Principles of Legal Proceedings. *Vestnik ekspertnogo soveta = Bulletin of the Expert Council*, 2022, no. 2 (29), pp. 83–90. (In Russ.).
13. Levushkin A.N. Judicial Power and Protection of Minors' Rights in Russia: Problems and Features of Application, in: Levushkin A.N. *Ensuring the Balance of Private Law Regulation of Public Relations in the Paradigm of Convergence of Legal Norms*, Scientific Views of Doctor of Law, Professor A.N. Levushkin, Monograph, in 2 volumes, Moscow, Yustitsinform Publ., 2023, vol. 1, pp. 673–677. (In Russ.).
14. Potapov D.V., Potapova L.V. Features of Participation of Minors in Civil Proceedings. *The Scientific Heritage*, 2022, no. 84-5, pp. 60–62. (In Russ.).
15. Pavlenko E.M. Ensuring the Best Interests and Safety of Children: International Standards and Practice in Russia. *Vestnik MGPU. Seriya: Yuridicheskie nauki = Bulletin of Moscow City University. Series: Legal Sciences*, 2021, no. 4 (44), pp. 75–85. DOI: 10.25688/2076-9113.2021.44.4.08. (In Russ.).
16. Bepalov Yu.F. *Family Relations and Family Disputes in the Practice of Russian Courts*, Scientific and Practical Guide. Moscow, Prospekt Publ., 2025. 224 p. (In Russ.).
17. Lipchanskaya M.A. Personal Safety of Minors as a Constitutional Value in the Face of Modern Challenges and Threats, in: Nemytina M.V. (ed.). *Pravo – yavlenie tsivilizatsii i kul'tury*, Moscow, RUDN University Publ., 2019, iss. I, pp. 528–536. (In Russ.).
18. Tarasova M.I. The Principle of the Best Interests of the Child in the Russian Judicial System, in: *Prioritety konstitutsionnogo razvitiia Rossii i stran Sodruzhestva Nezavisimyykh Gosudarstv*, Collection of scientific works, To the 30th anniversary of the Constitution of the Russian Federation, Moscow, Saratovskii istochnik Publ., 2023, pp. 431–437. (In Russ.).
19. Surdina A.I. Principles of Protection of Children's Rights: Concept, Essence and Place in the System of Principles of Russian Law. *Vlast' Zakona = Power of Law*, 2023, no. 3 (55), pp. 351–364. (In Russ.).
20. Kravchuk N.V. The Best Interests of the Child: The Content of the Concept and Its Place in the Family Legislation of Russia. *Aktual'nye problemy rossiiskogo prava = Actual Problems of Russian Law*, 2017, no. 5, pp. 97–103. DOI: 10.17803/1994-1471.2017.78.5.097-103. (In Russ.).

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